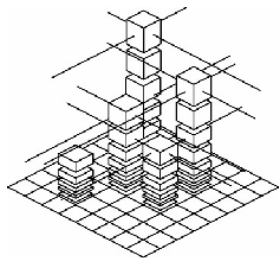


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EX PARTE

August 26, 2005

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: EB Docket No. 04-296
Review of Emergency Alert System

Dear Ms. Dortch

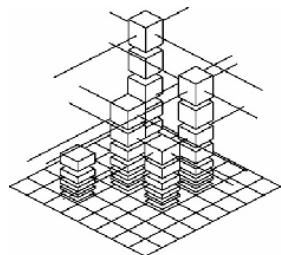
This is to notify you that on August 3, 2005 the following *ex parte* notice was timely filed with the Commission regarding an *ex parte* meeting held at the request of FCC officials however, the letter was inadvertently filed through the electronic comment filing system in the wrong docketed proceeding. The filed was electronically placed in Docket 04-37, when it should have been placed in Docket 04-296. The document is being resubmitted to place it into the correct docket file.

Thank you for your assistance in this regard.

Respectfully submitted,

Libby Beaty
Executive Director
National Association of
Telecommunications Officers and Advisors
1800 Diagonal Road, Suite 495
Alexandria, VA 22314
703-519-8035
August 3, 2005

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EX PARTE

August 3, 2005

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Re: EB Docket No. 04-296
Review of Emergency Alert System

Dear Ms. Dortch

This is to notify you that at the request of officials of the FCC's Office of Homeland Security (OHS) the undersigned and representatives from the National Cable & Telecommunications Association (NCTA), as well as consultants to both the National Association of Telecommunications Officers and Advisors (NATOA) and NCTA met with Commission staff in an *ex parte* meeting on August 2, 2005.

The purpose of the meeting was to address specific technical questions raised by staff regarding the provision of emergency information to the public by digital cable providers. The participants in the meeting included Libby Beaty of NATOA; Andrew Afflerbach and David Randolph of Columbia Telecommunications Corporation, consultants to NATOA; Loretta Polk, Neal Goldberg and Andy Scott of NCTA; and Steve Johnson, on behalf of the Society of Cable Telecommunications Engineers' EAS Subcommittee. The meeting was conducted by Gregory Cooke, Deputy Director of OHS, and Kenneth Burnley, Senior Counsel, OHS. FCC staff in attendance included Darryl Smith, Sarah Alves, Bonnie Gay, Sharlene Lofty, Brian Butler, Wayne T. McKee, Alison Greenwald and John Gabrysch.

The points for discussion raised by the staff were:

- Are there any technical, economic or other issues that would have to be resolved in order for digital cable providers to participate in EAS as it exists today in the same manner that analog cable participates? If so, what are they? How do they affect delivery of the national message? State and local messages?
- What would be an appropriate implementation time frame to resolve any of these issues?
- Digital media is capable of delivering much more than the audio or text streams that EAS currently delivers. What special capabilities can digital cable offer to a next generation alert and warning system? As a baseline, can digital cable offer video, audio and text?

How can digital cable technology otherwise be used to enhance warnings, and to what extent do cable providers currently make use of that technology?

Ms. Polk provided a brief synopsis of the cable industry's long-standing provision of emergency alert services, the costs expended for deployment of EAS equipment, and the voluntary nature of cable's participation in EAS at the state and local level. Mr. Johnson provided a technical overview of the provision of digital EAS alerts, including the "force tune" and "overlay" methods. Mr. Scott reviewed some of the challenges that have been encountered in the implementation of these systems, including targeting of alerts, costs, and non-duplication of analog and digital messaging.

Mr. Afflerbach provided information on systems his company has worked with that have addressed certain technical challenges and their resolution.

There were also questions related to the nature of the obligations of cable operators pursuant to local franchise agreements, and the distinction between alerts issued at the local, regional and national levels. No documents were provided to the staff during the course of the discussions.

Please contact the undersigned if you should have any questions with respect to this notice.

Respectfully submitted,



Libby Beaty
Executive Director
National Association of
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1800 Diagonal Road, Suite 495
Alexandria, VA 22314
703-519-8035
August 3, 2005

cc: Gregory Cooke
Kenneth Burnley
Darryl Smith
Sarah Alves
Bonnie Gay
Sharlene Lofty
Brian Butler
Wayne T. McKee
Alison Greenwald
John Gabrysch
Loretta Polk
Neal Goldberg
Andy Scott
Steve Johnson
Andrew Afflerbach
David Randolph